

SSB 5548 - H AMD 1288

By Representative Short

NOT CONSIDERED 3/11/2010

1 On page 2, after line 35, insert the following:

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3 "Sec. 2. RCW 82.02.060 and 1990 1st ex.s. c 17 s 44 are each
4 amended to read as follows:

5 The local ordinance by which impact fees are imposed:

6 (1) Shall include a schedule of impact fees which shall be adopted
7 for each type of development activity that is subject to impact fees,
8 specifying the amount of the impact fee to be imposed for each type of
9 system improvement. The schedule shall be based upon a formula or
10 other method of calculating such impact fees. In determining
11 proportionate share, the formula or other method of calculating impact
12 fees shall incorporate, among other things, the following:

13 (a) The cost of public facilities necessitated by new development;

14 (b) An adjustment to the cost of the public facilities for past or
15 future payments made or reasonably anticipated to be made by new
16 development to pay for particular system improvements in the form of
17 user fees, debt service payments, taxes, or other payments earmarked
18 for or proratable to the particular system improvement;

19 (c) The availability of other means of funding public facility
20 improvements;

21 (d) The cost of existing public facilities improvements; and

22 (e) The methods by which public facilities improvements were
23 financed;

24 (2) May provide an exemption for low-income housing, and other
25 development activities with broad public purposes, from these impact
26 fees, provided that the impact fees for such development activity
27 shall be paid from public funds other than impact fee accounts;

1 (3) Shall provide a credit for the value of any dedication of land
2 for, improvement to, or new construction of any system improvements
3 provided by the developer, to facilities that are identified in the
4 capital facilities plan and that are required by the county, city, or
5 town as a condition of approving the development activity;

6 (4) Shall allow the county, city, or town imposing the impact fees
7 to adjust the standard impact fee at the time the fee is imposed to
8 consider unusual circumstances in specific cases to ensure that impact
9 fees are imposed fairly;

10 (5) Shall include a provision for calculating the amount of the
11 fee to be imposed on a particular development that permits
12 consideration of studies and data submitted by the developer to adjust
13 the amount of the fee;

14 (6) Shall establish one or more reasonable service areas within
15 which it shall calculate and impose impact fees for various land use
16 categories per unit of development;

17 (7) May provide for the imposition of an impact fee for system
18 improvement costs previously incurred by a county, city, or town to
19 the extent that new growth and development will be served by the
20 previously constructed improvements provided such fee shall not be
21 imposed to make up for any system improvement deficiencies.

22 (8) Shall not impose impact fees for transit, bicycle, or
23 pedestrian facilities authorized under section 1(7) of this act if
24 fees for the development of such facilities have been previously paid
25 as a condition of approving the development activity."

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27 Correct the title.

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EFFECT: Prohibits the imposition of impact fees for transit,
bicycle, or pedestrian facilities if fees for the development of
such facilities have been previously paid as a condition of
approving the development activity.

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